

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO.3809 OF 1985

For Approval and Signature

The Hon'ble Mr. Justice S.K. KESHOTE

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1. Whether reporters of local papers may be allowed to see the judgment ?
 2. To be referred to the reporters or not ?
 3. Whether their lordships wish to see the fair copy of the judgment ?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950, or any order made thereunder ?
 5. Whether it is to be circulated to the Civil Judge?

SMT.TARULATA N DESAI

VERSUS

THE AHMEDABAD MUNICIPAL CORPORATION & ORS.

Appearance:

MR MB BUCH for the Petitioner

MS MN KERRAWALA for Respondent No.1

None present for other Respondents

Coram: S.K. Keshote,J

Date of decision:15/08/97

C.A.V. JUDGMENT

#. The learned counsel for the petitioner, though physically present in the Court, his presence has not given any assistance to this Court to decide this matter. His contribution in this case is only to make a request for adjournment on the ground that papers of this matter are not traceable in his office. This is a matter of the year 1985 and merely because papers of the matter are not available in the office of the petitioner's counsel, I do not find any ground for adjournment of the case. Yet there is another reason to decline this request of the counsel for the petitioner. On 25th February 1997, this matter has come up for hearing before this Court and on this date also, the counsel for the parties were not present and this matter was adjourned.

#. Perused the Special Civil Application. The petitioner, an Extension Educator (Female), working in the Municipal Corporation, Ahmedabad, filed this Special Civil Application and prayer has been made for direction to the respondent to give her pay in the pay scale of Rs.550-900 with effect from 1.1.73 with other consequential benefits. This claim of the petitioner is based on the ground that under the Resolution of the Government dated 20th October 1978, the Government has prescribed the pay scale of Rs.550-900 for the post of Extension Educator/Block Extension Educator, who are possessing qualification of post graduate degree. The petitioner possesses post graduate degree.

#. This Special Civil Application was ordered to be heard with Special Civil Application No.2975 of 1981. The papers of that Special Civil Application have been placed in the Court alongwith this Special Civil Application. The Special Civil Application No.2975 of 1981 has been decided by this Court on 2nd March 1995. That was also the case of Extension Educator/Block Extension Officers of the Corporation claiming the pay scale of Rs.550-900 from 1.1.73. As this matter is identical to the matter which was ordered to be heard alongwith this Sp.C.A. and the grievance made by the petitioners therein is also of the same nature, I consider it to be appropriate and further in the interest of justice to dispose of this Special Civil Application in terms that this Special Civil Application may be treated to be a representation of the petitioner regarding her grievance of giving the pay scale of Rs.550-900 from 1.1.73 with all consequential benefits and the respondent No.2 shall decide the same within a period of three months from the date of receipt of certified copy of this order. While deciding the representation of the petitioner, the respondent No.2

shall also take into consideration the judgment of this Court given in Special Civil Application No.2975 of 1981. In case the petitioner desires personal hearing, then she may be offered the same by respondent No.2. In case the grievance of the petitioner are not acceptable, the respondent No.2 shall make a reasoned order and a copy of the same may be sent to the petitioner by registered post A.D. In that eventuality, liberty is granted to the petitioner for revival of this Special Civil Application.

#. The Special Civil Application and Rule stand disposed of in aforesaid terms with no order as to costs.

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